

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**FPX, LLC, (d.b.a. FIREPOND),  
Individually and on Behalf of All Others  
Similarly Situated,**

**Plaintiff,**

**v.**

**(1) GOOGLE, INC.;  
(2) YOUTUBE, LLC;  
(3) AOL, LLC;  
(4) TURNER BROADCASTING  
SYSTEM, INC.;  
(5) MYSPACE, INC., and  
(6) IAC/INTERACTIVECORP**

**Civil Action No. 2:09-cv-00142**

**Defendants.**

**NOTICE OF APPEARANCE**

Notice is hereby given that the undersigned attorney, Marc A. Fenster, enters his appearance as counsel for Plaintiff FPX, LLC in this matter and for the purpose of receiving notices and orders from the Court.

Dated: June 22, 2009

Respectfully submitted,

By: /s/ Marc A. Fenster  
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**Attorneys for Plaintiff  
FPX, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that the counsel of record who are deemed to have consented to electronic service are being served on June 22, 2009 with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

Dated: June 22, 2009

/s/ Marc A. Fenster  
Marc A. Fenster